

1 THE HONORABLE KAREN A. OVERSTREET
2 Chapter 11

3 Date: August 20, 2013

4 Time: 9:30 a.m.

5 Location: Seattle

6 Response Date: August 6, 2013

7
8 UNITED STATES BANKRUPTCY COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 In Re

12 CASCADE AG SERVICES, INC.,

13 Debtor.

) No. 12-18366-KAO

) WASHINGTON FEDERAL'S
) RESPONSE TO AMENDED MOTION
) FOR APPROVAL OF SALE TO TRIAK
) HOLDINGS, LLC AND RESERVATION
) OF RIGHTS

14
15 COMES NOW Washington Federal, a secured creditor of the Debtor and for response
16 to the Debtor's Amended Motion for Approval of Sale of Substantially All Assets of Free
17 and Clear of Liens ¹ (the "Motion") responds and states as follows:

- 18 1. Washington Federal supports the Motion to sell the Debtor's assets to Pleasant
19 Valley Farms, LLC, formerly known as Triak Holdings, LLC, the "Winning
20 Bidder" at the auction conducted on July 30, 2013, as reported in the Sales
21 Agent's Auction Report².
- 22 2. Washington Federal reserves all rights to contest the Sales Agent's designation of
23 OND Farms, LLC as an Alternative Bidder because at the conclusion of the
24 auction, the Sales Agent announced that the component bids received from

25 ¹ [Clerk's Docket No. 536].

26 ² [Clerk's Docket No. 554]. The Asset Purchase Agreement identifies Triak Holdings as the Purchaser, but the Agreement is signed by Pleasant Valley Farms, LLC

WASH. FED.'S RESPONSE TO AMENDED MOTION FOR APPROVAL
OF SALE TO TRIAK AND RESERVATION OF RIGHTS - 1

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1 Kruger, One PacificCoast Bank, Washington Federal and Columbia State Bank
2 (the "Component Bid") was the Alternative Bid. To the extent it becomes
3 necessary to determine the Alternative Bid, in the event the sale to the Winning
4 Bidder is not approved or does not close, Washington Federal reserves the right to
5 argue the Component Bid is the Alternative Bid.

6 RESPECTFULLY SUBMITTED this 6th day of August, 2013

7 LANE POWELL PC

8
9 By /s/ Charles R. Ekberg

10 Charles R. Ekberg, WSBA No. 342
11 Gregory R. Fox, WSBA No. 30559
12 Attorneys for Washington Federal
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WASH. FED.'S RESPONSE TO AMENDED MOTION FOR APPROVAL
OF SALE TO TRIAK AND RESERVATION OF RIGHTS - 2

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